

AMENDED

Serial No.

**ASSIGNED**  
**50791**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office APR 3 1987

Returned to applicant for correction JUN 1 1987

Corrected application filed JUN 25 1987 Map filed JUN 25 1987 under 50781

The applicant Freeport-McMoRan Gold Company

Mountain City Star Route of Elko

Nevada 89801 hereby make S. application for permission to change the  
point of diversion, place and manner of use of a portion  
of water heretofore appropriated under claim 00563 of the "Edwards Decree", being civil  
action No. 2804 of the Sixth Judicial District Court of the State of Nevada  
identify right in Decree:

- The source of water is North Fork, Humboldt River System  
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 0.1 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Mining, Milling and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for decreed uses irrigation and stockwater  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point on Gance (Ganz) Creek, within Tract 40, in  
Sections 5 & 8, T 39 N, R 54 E, MDM, at a point from which the SE corner of Section 32, T 40 N, R 54 E, bears  
distance to a section corner. If on unsurveyed land, it should be stated. N 23° 05' E 3,510 feet dist. (see plat  
of survey and resurvey of the Bureau of Land Management for T. 39 N., R 54 E. MDM,  
approved October 10, 1979)  
Describe as being within a 40-acre subdivision of public survey and by course and
- The existing permitted point of diversion is located within SE 1/4 SE 1/4 Section 32, T 43 N, R 54 E, MDM, and conveyed to existing place of  
use in the Rutherford Ditch  
If point of diversion is not changed, do not answer.
- Proposed place of use SEE ATTACHMENT  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use portions of S 1/2 NE 1/4 Section 4, T 42 N, R 54 E, and portions  
of Lots 1 & 2 (N 1/2 NE 1/4) Section 4, T 42 N, R 54 E, MDM totaling 41.05 acres  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
manner of use of irrigation permit, describe acreage to be removed from irrigation.
- Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day
- Use was permitted from as decreed to  of each year.  
Month and Day Month and Day
- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) See attached page 2  
State manner in which water is to be diverted, i.e. diversion structure, ditches,  
pipes and flumes, or drilled well, etc.
- Estimated cost of works Vehicle transport: \$20,000.00
- Estimated time required to construct works not required

14. Estimated time required to complete the application of water to beneficial use not required

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Estimated annual consumption: 2,000 gallons per day x 300 days per year =

600,000 gallons or, 1.84 acre-feet. Total consumption from this and accompanying applications will not exceed 120 acre-feet per year.

By s/William A. Nisbet Agent  
421 Court  
Elko, Nevada 89801

Compared bc/bl pm/se

Protested \_\_\_\_\_

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place and manner of use of the waters of North Fork Humboldt River as heretofore appropriated under Proof 00563 as appears in the Humboldt River Decree No. 2804 entered October 20, 1931 and October 7, 1935, in the District Court of the Sixth Judicial District of the State of Nevada, in and for the County of Humboldt, is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit is granted for the period April 15 through August 15 each year and then only when in priority which is set by the Humboldt River Water Commissioner.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.095 cubic feet per second, but not to exceed 7.532 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before January 20, 1989

Proof of completion of work shall be filed before February 20, 1989

Application of water to beneficial use shall be made on or before January 20, 1992

Proof of the application of water to beneficial use shall be filed on or before February 20, 1992

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed MAR 22 1989 IN TESTIMONY WHEREOF, I PETER G. MORROS

State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed \_\_\_\_\_ my office, this 20th day of January

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

A.D. 19 88

State Engineer

7. Proposed place of use: Portions of: T.39N., R.53E., M.D.M. Sections 1,2,3,10,11,12,13,14,15,22,23,24. T.40N., R.53E. Sections 1,11,12,13,14, 23,24,25,26,27,33,34,35,36. T.41N., R.53E. Sections 1,2,3,10,11,12,13,14, 23,24,25,26,35,36. T.39N., R.54E., M.D.M. Sections 5,6,7,8,17,18. T.40N., R.54E. Sections 5,6,7,8,17,18,19,20,29,30,31,32. T.41N., R.54E. Sections 7,18,19,20,29,30,31,32.

11. Description of proposed works. water to be drawn from this proposed point of diversion directly to vehicle-mounted tank, through small pump, and transported to the various sites within the proposed place of use at which mineral exploration drilling will occur.

